

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

QUADRAY HOBBS, <div style="text-align: center;">Plaintiff,</div> <div style="text-align: center;">v.</div> DOOLY STATE PRISON, <i>et al.</i>, <div style="text-align: center;">Defendants.</div> <hr style="width: 40%; margin-left: 0;"/>	: : : : : : : : : : : :	No. 5:22-cv-283-TES-CHW Proceedings under 42 U.S.C. § 1983 Before the U.S. Magistrate Judge
--	--	--

ORDER

Before the Court is Plaintiff Hobbs’s motion for default judgment. (Doc. 48). Plaintiff asserts that Defendant Glover failed to timely answer or file a motion to dismiss despite receiving an extension of time from the Court to do so. (*Id.*, p. 1). He alleges that Defendant Glover missed the March 13, 2023 deadline by one day and asks a default be entered against Defendant Glover. (*Id.*) Plaintiff correctly acknowledged that Defendant Glover received an extension of time to answer or otherwise respond to Plaintiff’s complaint until March 13, 2023. (Docs. 32, 33). However, Plaintiff is mistaken about the date that Defendant Glover filed his motion to dismiss. The docket reflects that Defendant Glover’s pre-answer motion to dismiss was timely filed on March 13, 2023. (Doc. 39). Therefore, Defendant is not in default and Plaintiff’s motion for default judgment (Doc. 48) is **DENIED**.

Attached to Plaintiff’s motion is a letter in which he asks the Court to appoint him an attorney. (Doc. 48, p. 2). The Court interprets this letter as motion to appoint counsel.

Plaintiff previously requested appointed counsel (Doc. 46), which was denied. (Doc. 47). Plaintiff's current request for counsel does not change the Court's previous ruling. For reasons previously explained to Plaintiff, his request for appointed counsel (Doc. 48, p. 2) is **DENIED**. Should it later become apparent that legal assistance is required to avoid prejudice to Plaintiff's rights, then the Court, **on its own motion**, will consider assisting Plaintiff in securing legal counsel at that time.

SO ORDERED, this 10th day of August, 2023.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge